

House File 2123 - Introduced

HOUSE FILE 2123

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 597)

A BILL FOR

1 An Act authorizing a criminal or juvenile justice agency to
2 redisseminate driver's license photos in missing persons
3 cases.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 692.3, Code 2022, is amended to read as
2 follows:

3 **692.3 Redissemination of arrest data and other information.**

4 1. A criminal or juvenile justice agency may disseminate
5 arrest data, and the name, photograph, physical description,
6 and other identifying information, concerning a person who is
7 wanted or being sought if a warrant for the arrest of that
8 person has been issued. Information relating to any threat the
9 person may pose to the public may also be disseminated. ~~The~~
10 ~~information may be disseminated through any written, audio,~~
11 ~~or visual means utilized by a criminal or juvenile justice~~
12 ~~agency.~~ Any dissemination of information pursuant to this
13 section subsection shall also include the statement provided in
14 section 692.2, subsection 1, paragraph "b", subparagraph (5).

15 2. A criminal or juvenile justice agency may disseminate
16 personal information that is in the form of a person's
17 photograph or digital image or a digital reproduction
18 of a person's photograph obtained from the department of
19 transportation in accordance with section 321.11 of any of the
20 following persons:

21 a. A missing person, as defined in section 694.1.

22 b. A person identified in a missing person report involving
23 an unemancipated minor and there are reasonable grounds
24 to suspect that the person is involved with the minor's
25 disappearance.

26 3. The information described in this section may be
27 disseminated through any written, audio, or visual means
28 utilized by a criminal or juvenile justice agency.

29 EXPLANATION

30 The inclusion of this explanation does not constitute agreement with
31 the explanation's substance by the members of the general assembly.

32 Under current law, the department of transportation (DOT)
33 is prohibited from releasing personal information that is
34 in the form of a person's photograph or digital image or a
35 digital reproduction of a person's photograph. However, the

1 DOT is authorized to share such information with an officer or
2 employee of a law enforcement agency, an employee of a federal
3 or state agency or political subdivision in the performance
4 of the employee's official duties, a contract employee of the
5 department of inspections and appeals in the conduct of an
6 investigation, or a licensed private investigation agency or
7 a licensed security service, regardless of whether a person
8 has provided express written consent to disclosure of the
9 information.

10 Also under current law, a criminal or juvenile justice
11 agency is authorized to disseminate arrest data, and the
12 name, photograph, physical description, and other identifying
13 information, concerning a person who is wanted or being sought
14 if a warrant for the arrest of that person has been issued.

15 This bill authorizes a criminal or juvenile justice agency
16 to disseminate personal information that is in the form of a
17 person's photograph or digital image or a digital reproduction
18 of a person's photograph obtained from the DOT pursuant to
19 current law of (1) a missing person or (2) a person identified
20 in a missing person report involving an unemancipated minor
21 where there are reasonable grounds to suspect that the person
22 is involved with the minor's disappearance.